



THE UNITED STATES  
BANKRUPTCY COURT



FOR THE DISTRICT  
OF ARIZONA

# U.S. BANKRUPTCY COURT NEWSLETTER

SPRING 2009

VOLUME 9, NO. 1

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## Bankruptcy Court Staff Greet Crowd at Remote Self-Help Center Visit at Casa Grande February 4

By Marta Labus

(Note: This article is based on the editor's first-hand observations of the Casa Grande Bankruptcy Information Session February 4.)

### Attendees Throng CG Chamber of Commerce

On February 4, 2009, the U.S. Bankruptcy Court conducted a bankruptcy information session at the Casa Grande Chamber of Commerce. This was the fourth in a series of remote self-help center visits, inaugurated to further the court's commitment to public education and outreach. The five-hour Casa Grande session drew the largest attendance to date. A total of



information, and request assistance with bankruptcy filings. When Operations Manager Randy Merrill and Bankruptcy Generalists Liz Frazier Pascua and Michelle Radicke arrived at the Chamber of Commerce meeting room to set up computers and printers and unload stacks of forms, they found three visitors waiting for their session to begin. By 10:00 a.m., the official start time, four others had joined the early arrivals. By 10:30, seventeen people seeking bankruptcy information filled the small room.

### Non-Profit, Debtors, Creditors Seek Help from Court Staff

One couple had driven to Casa Grande from Green Valley, southeast of Tucson, and stayed overnight, for a 283-mile round trip. Two

staff members of the Primavera Foundation of Tucson came to get bankruptcy information for their clients—low-income families. Two creditors, husband and wife, came to inquire about 341 notice information and the nature of 341 meetings and to ask about claims filing procedures. A pro se filer who was having difficulties with self-



Randy checks Michelle's computer setup.

representation came to have case docket entries explained.



Liz sets up as early arrivals wait for the session to begin.

§  
Arizona's U.S. Bankruptcy Court Newsletter is a publication of court policies, procedures, and information designed to assist the public and members of the bar.

Redfield T. Baum, Chief Judge  
George B. Nielsen, Jr., Judge  
Sarah Sharer Curley, Judge  
James M. Marlar, Judge  
Charles G. Case II, Judge  
Randolph J. Haines, Judge  
Eileen W. Hollowell, Judge  
Brian D. Karth, Clerk of Court  
Marta H. Labus, Editor

thirty people came to ask questions, obtain forms and

More photos of Casa Grande self-help visit on p. 7 →

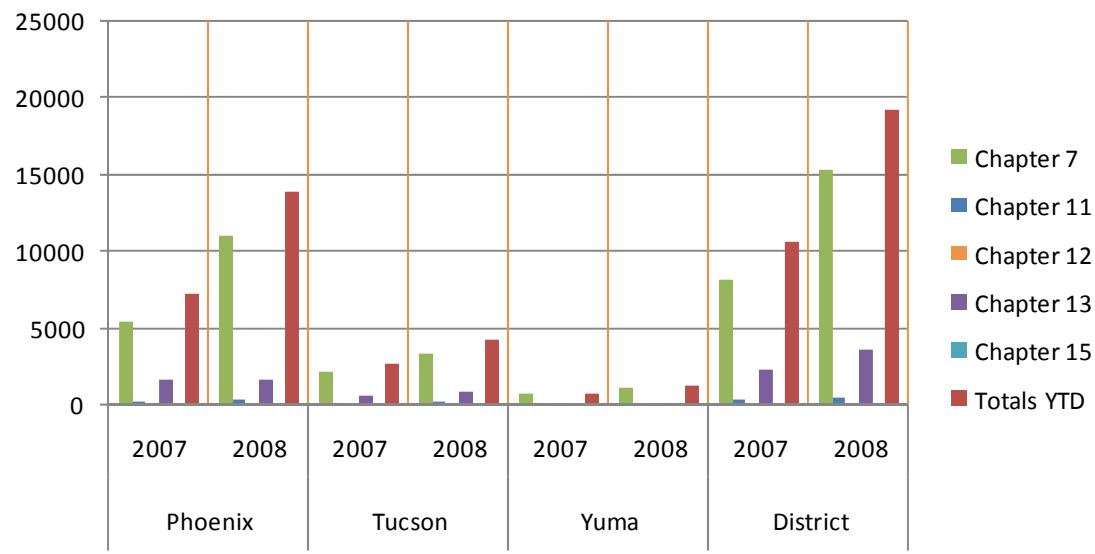
(Continued on page 6)

## December 2008 Year-End Total Bankruptcy Filings Up 81.1% From December 2007 Filing Levels

### Year to Date Totals: December 2008 v. December 2007

	<u>Phoenix</u>		<u>Tucson</u>		<u>Yuma</u>		<u>District</u>	
	<u>2007</u>	<u>2008</u>	<u>2007</u>	<u>2008</u>	<u>2007</u>	<u>2008</u>	<u>2007</u>	<u>2008</u>
Chapter 7	5378	10934	2035	3196	595	1047	8008	15177
Chapter 11	186	288	34	89	20	27	240	404
Chapter 12	3	1	0	3	0	0	3	4
Chapter 13	1637	1594	594	898	87	70	2318	3562
Chapter 15	0	0	1	0	0	0	1	0
Totals YTD	7204	13817	2664	4186	702	1144	10570	19147

### Year to Date Filings Totals: 2008 v. 2007



## ECF to be Updated to v.3.3.1 March 1, 2009



The ECF system will be upgraded to version 3.3.1 on March 1, 2009. ECF will not be available for filing on that day until after the upgrade has been completed. Version 3.3.1 has been installed in the Test system and is available for testing with your petition preparation software or other ECF integrated software. It is recommended that you test your software and contact the manufacturer regarding any updates that may be needed to avoid loss in functionality.

Training classes will be made available if there is interest. Please call the ECF Help Line at 602-682-4900 if you would like training.

An ECF Version 3.3.1 Summary for Attorneys will shortly be available on the court's web site at <http://www.azb.uscourts.gov/default.aspx?PID=82>, and ECF Version 3.3 Notes for PACER Users, currently available on the PACER web site at [http://pacer.psc.uscourts.gov/documents/cmecf/relnotes/bankruptcy\\_3.3.pdf](http://pacer.psc.uscourts.gov/documents/cmecf/relnotes/bankruptcy_3.3.pdf), will be available on the USBC web site as well.

## Attorney Reminder: Please Do Not Scan Proposed Orders for Order Upload

When preparing a proposed order for order upload, please convert it directly from your word processing application to Adobe Acrobat. Do not print your file and scan it to Adobe Acrobat. This procedure creates an image file, which makes it impossible for chambers to modify the text of your order. Please also do not

submit proposed orders on paper. The only exception to the rule is orders not accessible to you as electronic files, such as stipulated orders prepared by someone else. These must be scanned in.

Per the E-Orders Instructions in the ECF Procedural Manuals and Guides on the court's web site, '*Proposed orders must be submitted in PDF format and*

*the upper-right hand corner (4½ inches from the right-hand margin and 3 inches from the top) should be blank, as this is where the judge's electronic signature will be placed."*



## Ukrainian Judges Visit Tucson Court November 17



Chief Deputy and Divisional Manager Nancy Dickerson introduces the electronic case filing technology demonstration presented to the Ukrainian visitors as Judge Eileen W. Hollowell and Kevyn Duran observe. At the computer is DQA Kathy Gaare.



Photos by Shawn Jones

The USBC's guests receive an additional opportunity for questions and answers at their luncheon with judges and court staff.

By Jannis Medina, Judicial Assistant to Honorable Eileen W. Hollowell

Four Ukrainian judges visited Tucson from November 15 to 22, 2008. The judicial co-hosts were Honorable Eileen W. Hollowell, U.S. Bankruptcy Court, District of Arizona, and Honorable John M. Roll, Chief Judge, U.S. District Court, District of Arizona. The delegation of judges included Inna Alyeyeva, Mykola Baranov, Iryna Malafyeyeva and Oleksandr Synotsya, and their facilitator was Kateryna Bykova.

While the Ukrainian judges were in Tucson, they visited the University of Arizona James E. Rogers College of Law, the U.S. District Court, the Arizona Court of Appeals, the Pima County Superior Court, and the U.S. Bankruptcy Court. They also toured attractions such as the Arizona-Sonora Desert Museum, Sabino Canyon, and the Mission San Xavier del Bac; went shopping; and attended a Tucson Symphony Orchestra concert.

The Ukraine delegation members were all commercial court judges, some of whom did bankruptcy work, so they were very interested in the operations of our court and very interactive. While visiting our court on Monday, November 17, 2008, the delegation was welcomed by Judge Hollowell. The delegation enjoyed an informal potluck luncheon with the Bankruptcy Court staff, who had the opportunity to participate in a question and answer session with the group. Lunch was followed by a tour of the courthouse and a technology presentation (ECF and how attorneys electronically file documents). David Juell and Shawn Jones took care of equipment setup, and Kathy Gaare (together with Nancy Dickerson) gave the presentation.

Through the facilitator's report, we understand that two of the Ukraine judges plan to organize a presentation for their fellow judges on the work of the bankruptcy courts in the United States.

## James A. Walsh Courthouse Rededication 11/13/08 Spotlights Historic Preservation; Draws Distinguished Guests



Linda Brož, USBC Administrative Services Manager and coordinator of the Walsh restoration project, greets 7th District Congressman Raul M. Grijalva. From left, other distinguished speakers include Professor Charles E. Ares, GSA Regional Administrator Peter G. Stamison, Arizona Attorney General Terry Goddard, Judge Michael Daly Hawkins of the Ninth Circuit Court of Appeals, Chief District Judge John M. Roll, Tucson mayor Robert E. Walkup, and Bankruptcy Judge James M. Marlar.



The Fort Huachuca Select Honor Guard presents the colors.



Music for the occasion was provided by the 36th Army brass band, Fort Huachuca.



The Walsh Third Floor Historic Courtroom, ready for visitors.

Photos courtesy of GSA



## Number New Component of Court's Outreach Program to Pro Se Filers

Working with the Arizona Foundation for Legal Services & Education, the USBC Strategic Planning Bankruptcy Education committee has established an 800 number, **866-553-0893**, for bankruptcy filers who seek attorney assistance. This number offers voice prompts in both English and Spanish. The 800 number is now in the testing phase, with all calls going to attorney Diane Drain. In the near future, callers throughout the state will be able to leave voice mail messages on the 800 self-help line and receive responses from volunteer attorneys. The committee also plans to create a list of attorneys

available for consultation on the self-help line. These volunteers will have 800 number calls forwarded to them during their hours of availability

### **About the Arizona Foundation for Legal Services & Education**

The Foundation provides technical and financial assistance to legal aid organizations, schools and community groups working toward "access to justice for all Arizonans" through law-related education and free legal services. The Arizona Foundation for Legal Services & Education plays a leading role in preparing Arizona

students for civic responsibility. The Foundation reaches more than 100,000 children each year by training teachers, school resource officers and probation officers about our laws, justice system and the foundations of democracy. It is also home of LawForKids.org, America's first Web site dedicated to teaching students about the law.

### **Helpful Websites**

*Arizona Foundation for Legal Services & Education:*  
<http://www.azflse.org>

*Arizona Legal Help website:*  
<http://www.azlawhelp.org>



## Bankruptcy Court Staff Greet Crowd at Remote Self-Help Center Visit at Casa Grande February 4

*(Continued from page 1)*

### **Attendees Show Effects of Current Recession**

Questions ranged from the role of a bankruptcy case trustee to what a discharge means to what constitutes an exempt asset. Many attendees wanted referrals to the court's 800 number for attorney consultation or to Southern Arizona Legal Aid. Several people

wanted the entire progress of a bankruptcy case described to them. Others expected the court to have powers it does not legally possess such as ending the mailing of credit card offers to those who have been through bankruptcy.

Contemplating the bankruptcy process provoked both humor and pathos. One man stared at the

petition forms in disbelief. "I'll have to take an anxiety pill just to get through all this!" he exclaimed. An elderly woman, shivering in her winter coat, said she had gotten out of her sickbed to come to the court's information session. She had just lost her job and was forced to rely on her inadequate Social Security check. The visitor said

*(Continued on page 7)*



# Casa Grande Bankruptcy Information Session



Liz offers forms and information to prospective filers.

Photos by Martin Labans



Michelle and Randy answer questions on the bankruptcy process.



Randy offers his perspective on a pro se filer's area of concern.

## Bankruptcy Court Staff Greet Crowd at Remote Self-Help Center Visit at Casa Grande February 4



(Continued from page 6)

she felt embarrassed to be on the verge of filing for bankruptcy. "You work all your life and it comes to this," she said sadly.

### Court and Chamber of Commerce Publicity Pays Dividends

To gauge the effectiveness of the court's publicity campaign, Randy asked attendees how they had heard about the bankruptcy information session. Many people said they had noted the workshop announcement on the court's website. Others had seen the announcement in the local newspaper or on the community cable channel. One person mentioned being directed to the workshop by SALA (Southern Arizona Legal Aid). The Casa Grande Chamber of Commerce's e-mails to local businesses had also helped to attract interest.

"When are you coming back?" several visitors asked. The court will definitely plan for a return remote self-help center visit to Casa Grande. Spring 2009 bankruptcy information sessions are already planned for Flagstaff and Prescott. The Casa Grande information session pointed up the need for raising the level of bankruptcy literacy across the state through education, outreach, and an even sharper focus on the needs of unrepresented filers.

# Bankruptcy Basics. . .



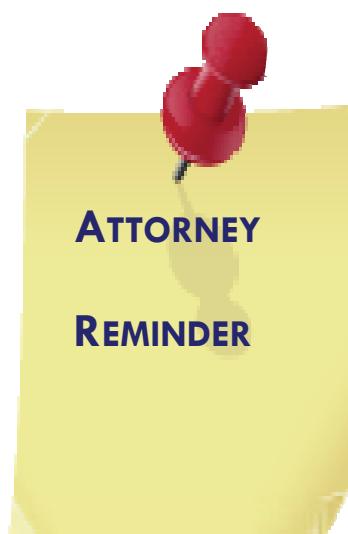
Just a reminder that a link to the new U.S. Courts web site Bankruptcy Basics videos can be found on our USBC Arizona web site at [www.azb.uscourts.gov](http://www.azb.uscourts.gov) under the “Debtor Help” menu at the top of the home page, in the “Before You File” sub-menu section.

## Before You File

- Informational pamphlets for Filing Without an Attorney (Pro Se)
- Credit Counseling Warning - - Read Before You File Bankruptcy
- U.S. Trustee Approved Credit Counseling Providers
- Pre-Filing Requirements
- IRS National Standards for Allowable Living Expenses
- Median Family Income Chart
- Chapter 7 Primary Requirements
- Chapter 11 Primary Requirements
- Chapter 13 Primary Requirements
- Questionnaire for Self Help
- DigiCounsel.net
- **Bankruptcy Basics** (This item is circled in red)
- Bankruptcy Basics Online Videos
- Court location search by zip code
- Directory of Legal Document Preparers certified by the Arizona State Supreme Court
- Video: Discussion on Discharge for Chapter 7 Debtors

This series of eight short videos includes discussions of bankruptcy chapters, what bankruptcy can and cannot do, the filing process, and how to seek legal assistance.

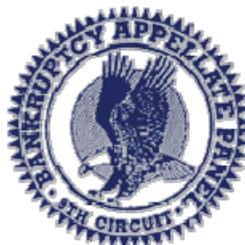
You can also access these online videos directly at <http://www.uscourts.gov/video/bankruptcybasics/bankruptcyBasics.cfm>



Please include **your e-mail address** in the headings of your pleadings. This will expedite your receipt of signed emergency orders. Courtroom Deputies will e-mail these orders to you so that you do not need to wait until they appear on the docket to download—provided the Courtroom Deputies have your current e-mail address. Please include it on your pleadings. Thank you!

## Effective 12/1/2008, 9th Circuit BAP Permits Electronic Filing of Most Documents

As of December 1, 2008, the Bankruptcy Appellate Panel of the Ninth Circuit has allowed electronic filing of most documents. Please review the contents of the BAP webpage at <http://pacer.bap09.uscourts.gov/index.php> for further information. Please also review the Ninth Circuit BAP's [Administrative Order Regarding Electronic Filing in BAP Cases](#) of October 24, 2008.



Attorneys may register online to file on BAP ECF. Please note that licensed attorneys authorized to practice before the BAP may

register without leave of court; all others must file a motion requesting leave to register. The BAP will approve registration within seven days and notify registrants by mail.

Attorneys with questions about the use of BAP ECF should contact the Ninth Circuit BAP at [CMECF\\_bapca9@ca9.uscourts.gov](mailto:CMECF_bapca9@ca9.uscourts.gov) or call 626-229-7220.

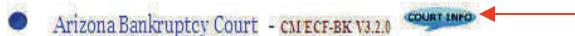
## PACER Service Center Enhances Website With RSS Feeds and CM/ECF Court Version Information

The PACER Service Center website has added **RSS (Really Simple Syndication)** feed that will allow customers to easily monitor changes to information posted. To get updates delivered to your desktop click on the "RSS Feed" icon at [pacer.psc.uscourts.gov](http://pacer.psc.uscourts.gov). Click on the link "About RSS" for more information.

RSS is a format for delivering regularly changing web content. An RSS document, also referred to as a "feed," typically includes summarized text with links to full versions. These feeds allow users to stay informed about any changes on a web site. The PACER RSS feed contains information such as upgrades to local courts' CM/ECF software and PACER announcements.

You may access the PACER RSS feed by clicking on the icon or by [entering http://pacer.psc.uscourts.gov/pacerrss.xml](http://pacer.psc.uscourts.gov/pacerrss.xml) in your browser. You may also subscribe to the feed using the feed reader of your choice.

Another PACER site enhancement is the U.S. District Court and Bankruptcy Court information now available by clicking on the "Links to PACER web sites."



By clicking on the "Court Info," as in the example above, you can obtain such information as the version of CM/ECF currently in use, case flag descriptions, mailing address, and phone number. Please see the sample information, from the Arizona Bankruptcy Court, on page 10. →



Administrative Office of the U.S. Courts  
PACER Service Center

## PACER Service Center Enhances Website With RSS Feeds and CM/ECF Court Version Information



Administrative Office of the U.S. Courts  
PACER Service Center

### Court Information

Court Details	
Court's Name	District of Arizona
Software Version	CM/ECF-BK V3.2.0
ECF Go Live Date	October 1997
Maximum PDF File Size	3
Maximum Merge Document Size	10

Court Locations	
Court's Name	
Court's Address	
Court's Phone Number	
Court's Email Address	
Court's Hours	
Court's Name	<b>District of Arizona</b>
Court's Address	
Court's Phone Number	
Court's Email Address	azb_support@azb.uscourts.gov
Court's Hours	9:00 am - 4:00 pm Monday-Friday
Court's Name	<b>District of Arizona, Phoenix Division</b>
Court's Address	(Phoenix Division) 230 N. First Avenue, Suite 101, Phoenix, AZ 85003-1727
Court's Phone Number	Phoenix (602) 682-4000 or (800) 556-9230
Court's Email Address	
Court's Hours	
Court's Name	<b>District of Arizona, Tucson Division</b>
Court's Address	(Tucson Division) 38 S. Scott Avenue, Tucson, AZ 85701-1704
Court's Phone Number	Tucson (520) 202-7500 or (800) 556-9224
Court's Email Address	
Court's Hours	
Court's Name	<b>District of Arizona, Yuma Division</b>
Court's Address	(Yuma Division) 325 W. 19th Street, Suite D, Yuma, AZ 85364
Court's Phone Number	Yuma (928) 783-2288 or (800) 556-9227

Pacer Details	
Pacer's Address	PACER Service Center, PO Box 780549, San Antonio TX 78278-0549
Pacer's Phone Number	(800) 676-6856
Pacer's Email Address	pacer@psc.uscourts.gov
Flag Definitions	
Code	Translation
727COMPLNT	Section 727 Complaint Filed
APFeeDue	Adversary Filing Fee Due
AUDIT-NOCLOSE	Selected for Audit
Appeal	Appeal Filed
Appeal 9th Circuit	Appeal Filed 9th Circuit
BKFeeDue	Petition Filing Fee Due
BKFeeWaived	Petition Filing Fee Waived
CLOSED	Case Closed
CONSOL	Consolidated
DISMISSED	Case Dismissed
DISMPREJ	Dismissed with Prejudice
Exhibits	Case had exhibits.
FMgmtCert	Financial Mgmt Course Cert Req
FeeDueAB	Filing Fee Due on Motion to Compel Abandonment
FeeDueAM	Filing Fee Due on Amendment to Schedules D,E,F
FeeDueAPP	Filing Fee Due on Notice of Appeal or Cross Appeal
FeeDueCV	Conversion Filing Fee Due
FeeDueDC	Filing Fee Due for Deconsolidation of Joint Case
FeeDueDirectAPP	Direct Appeal to Court of Appeals Filing Fee
FeeDueRO	Filing Fee Due on Motion to Reopen Case
FeeDueST	Filing Fee Due on Motion for Relief from Stay
FeeDueWD	Filing Fee Due on Motion to Withdraw Reference
FeeWaived	Petition Filing Fee and Misc Fees Waived
FeeWaiverPending	Application to Waive Filing Fee Pending
IFP	IFP fee Waived
INVOL	Involuntary Petition
IneligClose	Do not redisplay case ineligible for auto close
IneligDisch	Do not redisplay case ineligible for auto discharge
JointAdmin	Joint Administered
LeaseDef	Residential Lease Default
MEANSTMPEX	Temporary exclusion from means test for reservists and national guard



### Reminder:

The court's Bankruptcy Education Committee will conduct two spring Bankruptcy Education seminars at the Fresh Start Women's Foundation. Presentations are scheduled for Tuesday, February 24 and Tuesday, April 28, from 6:00-7:45 p.m. The attendance fee is \$5.00.

Session topics include bankruptcy v. debt negotiation, descriptions of choices, credit counseling and financial education requirements, bankruptcy and divorce, and changes and new provisions in bankruptcy law.

**United States Bankruptcy Court  
District of Arizona  
Filing Statistics Analysis  
Calendar Year 2009 vs. 2008**

<u>CHAPTER 7</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2008	2009		2008	2009		2008	2009		2008	2009	
January	522	996	90.8	126	267	111.9	63	101	60.3	711	1364	91.8
February	590			160			53			803		
March	755			245			93			1093		
April	881			259			94			1234		
May	765			254			73			1092		
June	894			297			87			1278		
July	997			315			103			1415		
August	1048			278			88			1414		
September	1083			329			97			1509		
October	1249			359			115			1723		
November	995			283			91			1369		
December	1155			291			90			1536		
<b>TOTALS</b>	<b>10934</b>			<b>3196</b>			<b>1047</b>			<b>15177</b>		

<u>CHAPTER 11</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2008	2009		2008	2009		2008	2009		2008	2009	
January	21	27	28.6	1	8	700.0	5	2	(60.0)	27	37	37.0
February	17			5			2			24		
March	15			5			3			23		
April	18			5			2			25		
May	26			3			2			31		
June	23			10			2			35		
July	26			8			5			39		
August	26			7			1			34		
September	30			7			0			37		
October	38			12			2			52		
November	15			19			2			36		
December	33			7			1			41		
<b>TOTALS</b>	<b>288</b>			<b>89</b>			<b>27</b>			<b>404</b>		

**United States Bankruptcy Court  
District of Arizona  
Filing Statistics Analysis  
Calendar Year 2009 vs. 2008**

<u>CHAPTER 13</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2008	2009		2008	2009		2008	2009		2008	2009	
January	164	<b>218</b>	32.9	63	<b>83</b>	31.7	2	<b>11</b>	450.0	229	<b>312</b>	36.2
February	190			53			4			247		
March	216			79			2			297		
April	205			84			4			293		
May	208			80			8			296		
June	201			57			5			263		
July	228			96			4			328		
August	229			67			3			299		
September	226			100			9			335		
October	264			71			8			343		
November	252			76			7			335		
December	211			72			14			297		
TOTALS	2594			898			70			3562		

<u>YEAR TO DATE TOTALS</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2008	2009		2008	2009		2008	2009		2008	2009	
Chapter 7	522	<b>996</b>	90.8	126	<b>267</b>	111.9	63	<b>101</b>	60.3	711	<b>1364</b>	91.8
Chapter 11	21	27	28.6	1	<b>8</b>	700.0	5	<b>2</b>	(60.0)	27	<b>37</b>	37.0
Chapter 12	0	<b>0</b>	0.0	0	<b>0</b>	0.0	0	<b>0</b>	0.0	0	<b>0</b>	0.0
Chapter 13	164	<b>218</b>	32.9	63	<b>83</b>	31.7	2	<b>11</b>	450.0	229	<b>312</b>	36.2
Chapter 15	0	<b>0</b>	0.0	0	<b>0</b>	0.0	0	<b>0</b>	0.0	0	<b>0</b>	0.0
Totals YTD	707	<b>1241</b>	75.5	190	<b>358</b>	88.4	70	<b>114</b>	62.9	967	<b>1713</b>	77.1

# Downtown Phoenix's Copper Square: *Central Avenue Closed for 18 Months Between Jefferson and Washington*



**The Closure:** Central Avenue is closed between Jefferson and Washington for the construction of the Cityscape Project. This street will be closed for a total of 18 months.

**When:** Starting December 8, 2008 thru 2010

**Time:** 24 Hours

**Suggestions:** Use 7th Ave., 3rd Ave., 1st St. or 2nd St. for northbound travel.